

REMARKS

Reconsideration is requested.

Claims 47, 50, 52, 53 and 54 have been canceled, without prejudice. Upon entry of the above amendments, claims 26-46, 48, 49, 51 and 55-59 will be pending. The Examiner's indication of allowance of claims 27, 28, 30, 34, 35, 37, 41, 42, 44, 48, 49 and 51 on page 1 of the Office Action dated March 26, 2004, is acknowledged, with appreciation.

Entry of the above amendments and submission of the attached Terminal Disclaimer are believed to place the application in condition for allowance.

Specifically, the above amendments will obviate the Section 102 rejection of claim 54 over EP 0388232, the Section 103 rejection of claims 58 and 59 over EP 0388232 and the Section 101 double patenting rejection of claims 47, 50, 52 and 53. The amendments have been made without prejudice, to advance prosecution. Entry of the above and withdrawal of the noted rejections are requested.

The attached Terminal Disclaimer obviates the obviousness-type double patenting rejection of claims 26, 29, 31, 32, 33, 36, 38, 39, 40, 43, 45, 46 and 54-59 over claims 1, 4, 6, 7 and 15-21 of U.S. Patent No. 6,007,982. The requisite Terminal Disclaimer fee is attached. The attached cover sheet includes authorization to charge the undersigned's Deposit Account No. 14-1140 for any missing or deficient fees.

Supplemental to the Declaration filed January 15, 2002, filed with the application in the above, attached is a copy of the originally-executed Declaration filed in the parent application Serial No. 07/920,286, which correctly states the filing dates of the parent application Serial No. 07/920,286 and the PCT application No. PCT/EP91/02409. The

filing dates of these applications were inadvertently reversed in the Declaration filed with the above-identified application. The Patent Office records are correct with regard to the filing dates. No further action is believed to be required by the Patent Office or the applicants in this regard however the Office is requested to advise the undersigned if otherwise.

Claim 56 has been amended to obviate the objection to the same noted on page 2 of the Office Action dated February 26, 2004.

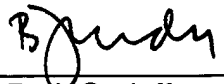
The claims are submitted as being in condition for allowance and a Notice to that effect is requested.

Attached is a PTO-1449 Form listing a parent U.S. Patent No. 6,287,761, which issued from Serial No. 09/275,265. The listed U.S. Patent No. 6,287,761 was considered by the present Examiner in the parent U.S. Patent No. 6,576,417 (a copy of the first page of which is attached). A copy of the first page and claims of U.S. Patent No. 6,287,761 are attached. Return of an initialed copy of the attached Form PTO-1449 is requested pursuant to MPEP § 609 is requested as the applicants desire to have the patent to be listed on the face of any patent issuing from the present application and presume the Examiner has reviewed the cited patent, pursuant to MPEP § 609. The Examiner is requested to contact the undersigned in the event anything further is required in this regard.

DeLeys et al.
Appl. No. 10/044,995
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Respectfully submitted,

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By: 

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